

## **TITLE 11, DIVISION 1, CHAPTER 4.6. NONPROFIT RAFFLE PROGRAM REGULATIONS**

### **§ 410. Title and Scope.**

This chapter shall be known as the Department of Justice Regulations for the Nonprofit Raffle Program. These regulations implement, interpret and make specific the establishment of a registration and reporting program for specified nonprofit organizations, as required by Penal Code section 320.5, enacted by statute in 2000 and effective July 1, 2001. These regulations apply to any eligible organization, as defined in Penal Code section 320.5(c), which conducts a raffle as defined in Penal Code section 320.5(b) on or after July 1, 2001.

Note: Authority cited: Section 320.5(h), Penal Code. Reference: Section 320.5, Penal Code.

### **§ 411. Definitions.**

The following definitions shall be applicable when used in these regulations:

(a) "Administrative information" means any information maintained by the Department of Justice ("DOJ") that is reasonably necessary for DOJ to perform the duties required by Penal Code section 320.5. Such information includes, but is not limited to, the date a registration application or report is received, the date the registration takes effect, and the expiration date of the registration.

(b) "Attorney General" means the California Attorney General or any employee of the Attorney General acting under the authority of the Attorney General.

(c) "Department of Justice" means the California Department of Justice ("DOJ") or any employee of DOJ acting under the authority of DOJ.

(d) "Eligible organization" means a private nonprofit organization as defined in Penal Code section 320.5(c) and excludes those entities specified in Penal Code section 320.5(h).

(e) "Fee" means the fee established by DOJ as authorized by Penal Code section 320.5(h).

(f) "Nonprofit Raffle Program" means all information, documents and other material filed with or maintained by DOJ, including registration applications and electronic databases, reports and any processes, procedures or other means of effectuating the requirements of Penal Code section 320.5.

(g) "Raffle" is defined in Penal Code section 320.5(b).

(h) "Registrant" means an eligible organization which has filed an application to be registered in the Nonprofit Raffle Program.

(i) "Registration application" or "registration form" means Form CT-NRP-1 (Rev. 10/2012) which is incorporated by reference.

(j) "Report" means the completed Form CT-NRP-2 (Rev. 10/2012) (which is incorporated by reference) that has been signed by a responsible fiduciary of the registrant declaring that the information therein is true and complete.

(k) "Responsible Fiduciary" and "Fiduciary" mean an authorized Officer or Director of the eligible organization.

Note: Authority cited: Section 320.5(h), Penal Code. Reference: Section 320.5, Penal Code.

#### **§ 415. Registration.**

Every eligible organization shall, prior to conducting any raffle in California, be registered with DOJ in the Nonprofit Raffle Program. The organization shall submit a registration application on Form CT-NRP-1 (Rev. 10/2012), the form prescribed by DOJ, which shall contain all of the information required, including a statement signed by a responsible fiduciary of the eligible organization (such as an officer or director of the organization), attesting that the information provided is true and correct. If the organization plans to conduct more than one raffle during the annual registration period (September 1 through August 31), it must indicate on the application form each date on which it plans to conduct a raffle; however, if any date changes, the organization is not required to amend its application. Only one application is required during the annual registration period even if the organization conducts more than one raffle. The application shall be submitted in the manner required by these regulations. The registration application and the required fee shall be submitted to the address set forth in section 416.

An eligible organization is not registered until it has received written confirmation from DOJ as provided in section 422.

Note: Authority cited: Section 320.5(h), Penal Code. Reference: Section 320.5, Penal Code.

#### **§ 416. Place of Filing.**

The address to be used for delivery and receipt of mail, information, registration applications, amendments, fees, reports and other material required by Penal Code section 320.5 is:

DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL  
ATTN.: NONPROFIT RAFFLE PROGRAM  
1300 I STREET  
P.O. Box 903447  
SACRAMENTO, CA 94203-4470

The telephone number to be used for inquiries relating to the Nonprofit Raffle Program is (916) 445-2021, extension 9 or via email at [raffles@doj.ca.gov](mailto:raffles@doj.ca.gov).

Note: Authority cited: Section 320.5(h), Penal Code. Reference: Section 320.5, Penal Code.

#### **§ 417. Time of Registration.**

A completed registration form and registration fee must be submitted by September 1 of each year (i.e., September 1 through August 31) during which a raffle is expected to be conducted. If an eligible organization which is not registered determines after September 1 of any year that it will conduct a raffle during the year (September 1 through August 31), the organization shall submit its registration application at least 60 days before the date the raffle is held.

Note: Authority cited: Section 320.5(h), Penal Code. Reference: Section 320.5, Penal Code.

#### **§ 420. Reporting Requirements.**

Every eligible organization that is registered shall file, on or before October 1 of each year, a single report for the raffle or raffles conducted which shall contain all of the required information, including a statement signed by a responsible fiduciary of the eligible organization attesting that the information provided is true and correct. The report shall be filed with DOJ at the address set forth in section 416 on Form CT-NRP-2 (Rev. 10/2012) in the manner required by these regulations.

A single aggregate report shall be filed even if an organization conducts more than one raffle during the reporting year.

Note: Authority cited: Section 320.5(h), Penal Code. Reference: Section 320.5, Penal Code.

#### **§ 421. Nonprofit Raffle Program.**

DOJ shall maintain copies of all registration applications accepted for filing and copies of all reports provided pursuant to section 320.5 of the Penal Code, which together shall constitute the Nonprofit Raffle Program required by section 320.5 of the Penal Code. DOJ may retain the foregoing information in electronic form so long as actual copies are archived and retrievable for the period prescribed by law.

Note: Authority cited: Section 320.5(h), Penal Code. Reference: Section 320.5, Penal Code.

#### **§ 425. Requests by Attorney General.**

Eligible organizations shall furnish all information, documents and other records requested by DOJ including, but not limited to, information pursuant to Penal Code section

320.5(h) in order to enable the Attorney General and other law enforcement agencies to ascertain compliance with Penal Code section 320.5 and establish and maintain the Nonprofit Raffle Program.

Note: Authority cited: Section 320.5(h), Penal Code. Reference: Section 320.5, Penal Code.